2808. Misbranding of Vitalitone (device). U. S. v. 9 Devices * * *. (F. D. C. No. 26985. Sample Nos. 55139–K, 55140–K.)

LIBEL FILED: April 11, 1949, Western District of Oklahoma.

ALLEGED SHIPMENT: By Professional Aids, Inc., from Salt Lake City, Utah. The devices were shipped on or about February 19 and March 1, 1949, and quantities of printed matter were shipped on or about March 6, 1949.

PRODUCT: 9 *Vitalitone* devices at Oklahoma City, Okla., together with copies of a circular entitled "Placements for Various Conditions," copies of a body chart, and copies of a mailing circular. The device was electrical and was designed for applying the household current to the body following rectification and modulation. The strength of the current could be varied, and the current could be supplied either steadily or intermittently.

LABEL, IN PART: "Vitalitone Model B."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the circulars and body charts were false and misleading. The statements represented and suggested that the device was an adequate and effective treatment for rheumatism, arthritis, charleyhorse, liver disorders, kidney disorders, paralysis, prolapse of colon, prolapse of female organs, angina pectoris, nervous indigestion, high blood pressure, low blood pressure, tense muscles, constipation, asthma, fallen arches, sinusitis, hay fever, nervous tension, and muscular atrophy; and that it would be effective for improving defective vision, rejuvenating the bust, and removing double chin and bags from under the eyes. The device was not an adequate and effective treatment for such diseases and conditions, and it would not fulfill the promises of benefit stated and implied.

DISPOSITION: July 13, 1949. Professional Aids, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the devices be released under bond for relabeling under the supervision of the Federal Security Agency.

DRUGS FOR VETERINARY USE

2809. Misbranding of Bucokol, Arsulin Powder, thionitrate tablets, and guaiacol. U. S. v. 123 Bottles, etc. (F. D. C. No. 26962. Sample Nos. 34123–K to 34126–K, incl.)

LIBEL FILED: April 1, 1949, Northern District of California.

ALLEGED SHIPMENT: On or about November 29, 1946, and May 2 and 9 and July 8 and 19, 1947, by Vet Products, Inc., from Kansas City, Mo.

PRODUCT: 123 1-pint bottles of *Bucokol*, 70 1-pound cartons of *Arsulin Powder*, 30 100-tablet bottles of *thionitrate tablets*, and 5 bottles of *guaiacol* at Oakland, Calif. Analyses disclosed that the *Bucokol* consisted essentially of mineral oil, approximately 75 percent, soap, phenolic compounds including guaiacol, eucalyptus oil, camphor, and a small proportion of water; that the *Arsulin Powder* consisted essentially of a bark, linseed meal, arsenic trioxide, and sulfur; that the *thionitrate tablets* consisted essentially of sodium nitrate, sodium thiosulfate, dextrose, and ultramarine blue; and that the *guaiacol* consisted essentially of 69 percent mineral oil, soap, phenolic compounds including guaiacol, eucalyptus oil, camphor, and a small proportion of water.

NATURE OF CHARGE: *Bucokol.* Misbranding, Section 502 (a), the label statement "An Aid in Treating Simple Colds of Livestock and Poultry" was false and misleading since the article was not effective as an aid in treating simple colds of livestock and poultry.

Arsulin Powder. Misbranding, Section 502 (a), the label statement "An Aid in the Treating of Suppurative Disorders of Large Animals, Particularly Horses" was false and misleading since the article was not effective as an aid in the treatment of suppurative disorders of large animals, particularly horses.

Thionitrate tablets. Misbranding, Section 502 (a), the label statements "Antidote for various poisonings in livestock; prussic acid, toxic plants, molds, fungi, lead, arsenic, thallium, etc.; check diarrhea in calves" were false and misleading since the article was not effective as an antidote for the poisonings stated, and it was not effective to check diarrhea in calves.

Guaiacol. Misbranding, Section 502 (a), the label statement "Orally for respiratory afflictions; colics; bloat and digestive fermentations; lymphangitis and congestions" was false and misleading since the article was not effective in the treatment of the disease conditions stated and implied.

DISPOSITION: May 3, 1949. Default decree of condemnation and destruction.

2810. Misbranding of Speedway Cough and Distemper Remedy, Speedway Condition Powder, Speedway Hoof Tonic, Black Perfection Salve, and Speedway Absorbent Liniment. U. S. v. 7 Bottles, etc. (F. D. C. No. 26662. Sample Nos. 30648–K to 30652–K, incl.)

LIBEL FILED: March 17, 1949, Southern District of California.

ALLEGED SHIPMENT: On or about May and September 1948, by the Energy Drug Co., from Cleveland, Ohio.

PRODUCT: 7 1-pint bottles of *Speedway Cough and Distemper Remedy;* 10 9-ounce boxes of *Speedway Condition Powder;* 2 1-quart cans of *Speedway Hoof Tonic;* 14 3-ounce jars of *Black Perfection Salve;* and 9 1-gallon cans and 9 1-quart cans and 11 12-ounce bottles of *Speedway Absorbent Liniment,* at Beverly Hills, Calif., together with a number of circulars entitled "Speedway Veterinary Remedies." Analyses disclosed that the Speedway *Cough and Distemper Remedy* consisted essentially of water, sugar, ammonium chloride, ammonium carbonate, and small proportions of alkaloids including strychnine; that the *Speedway Absorbent Liniment* consisted essentially of alcohol, benzoin, and other aromatic compounds; that the *Speedway Condition Powder* consisted essentially of iron sulfate, fenugreek, and small proportions of santonin and nux vomica; that the *Speedway Hoof Tonic* consisted essentially of petroleum oil; and that the *Black Perfection Salve* consisted essentially of sulfur, charcoal, tannic acid, camphor, and a lead compound in an ointment base of lard.

NATURE OF CHARGE: *Speedway Cough and Distemper Remedy.* Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading. These statements represented and suggested that the article was an effective treatment of cough, distemper, shipping fever, colds, epizootic, lung fever, pneumonia, and kidney diseases of horses, and that it would relieve fever and create an appetite. The article was not an effective treatment for such diseases and conditions. Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, one of which was nux vomica, a strychnine bearing drug, and its label failed to bear a statement of the quantity or proportion of strychnine contained in the article.

Speedway Absorbent Liniment. Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading. These statements represented and suggested that the article was an effective treatment for bad legs, all lameness, bowed tendons, big knees, bad ankles, weak